

**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)  
MBX 020

Applicant, Patentee, or Identifier: Lara Madison, Gjalte W. Huisman, and Oliver P. Peoples

Application or Patent No.: \_\_\_\_\_

Filed or Issued: January 22, 1999

Title: TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY (2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Metabolix, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 303 Third Street  
Cambridge, Massachusetts 02142

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

- Each person, concern, or organization having any rights in the invention is listed below:  
☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Oliver P. Peoples

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Research and Development

ADDRESS OF PERSON SIGNING 27 Radcliffe Road, Arlington, MA 02174

SIGNATURE Oliver P. Peoples DATE February 19, 1999



Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)  
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	MBX 020
	<b>First Named Inventor</b>	Lara Madison
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	09 / 235,875
	<b>Filing Date</b>	January 22, 1999
	<b>Group Art Unit</b>	1711
<b>Examiner Name</b>		

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY (2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)**

the specification of which (Title of the Invention)

☐ is attached hereto  
OR  
☒ was filed on (MM/DD/YYYY) **January 22, 1999** as United States Application Number or PCT International Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/072,198	January 22, 1998	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label here

Name	Registration Number	Name	Registration Number
Patrea L. Pabst	31,284		
Collen A. Beard	38,824		
Robert A. Hodges	41,074		
Kevin W. King	42,737		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number  or Bar Code Label OR ☒ Correspondence address below

Name	Patrea L. Pabst				
Address	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center, 1201 West Peachtree Street				
City	Atlanta	State	GA	ZIP	30309-3450
Country	US	Telephone	(404)873-8794	Fax	(404)873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
Lara	Madison

Inventor's Signature	<i>Lara L. Madison</i>			Date	3/15/99
Residence: City	Bridgewater	State	MA	Country	US
Post Office Address	496 Plymouth Street				
Post Office Address					
City	Bridgewater	State	MA	ZIP	02324
Country	US				

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → +

PTO/SB/02A (3-97)  
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b>
--------------------	-------------------------------

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Gjalt W.				Huisman			
Inventor's Signature						3/16/99	Date
Residence: City	San Carlos	State	CA	Country	US	Citizenship	NL
Post Office Address 3370 Brittan Avenue, #18							
Post Office Address							
City	San Carlos	State	CA	ZIP	94070	Country	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Oliver P.				Peoples			
Inventor's Signature						Date	
Residence: City	Arlington	State	MA	Country	US	Citizenship	US
Post Office Address 27 Radcliffe Road							
Post Office Address							
City	Arlington	State	MA	ZIP	02174	Country	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 9/30/98. PTO/SB/02A (3-97)  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
OMB 0651-0032

## DECLARATION

## ADDITIONAL INVENTOR(S)

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Gjalt W.		Huisman	
Inventor's Signature			
Residence: City	San Carlos	State	CA
Post Office Address	3370 Brittan Avenue, #18	Country	US
Post Office Address			
City	San Carlos	State	CA
Name of Additional Joint Inventor, if any:	ZIP	94070	Country
Given Name (first and middle [if any])	US		
Oliver P.		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Family Name or Surname		Peoples	
Inventor's Signature	<i>Oliver P. Peoples</i>		
Residence: City	Arlington	State	MA
Post Office Address	27 Radcliffe Road	Country	US
Post Office Address			
City	Arlington	State	MA
Name of Additional Joint Inventor, if any:	ZIP	02174	Country
Given Name (first and middle [if any])	US		
<input type="checkbox"/> A petition has been filed for this unsigned inventor		Family Name or Surname	
Inventor's Signature			
Residence: City			
Post Office Address	State	Country	Date
Post Office Address	Citizenship		
City	State	ZIP	Country

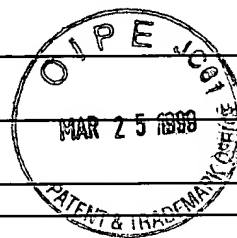
Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicants: Lara Madison, Gjalte W. Huisman, and Oliver P. Peoples

Application No.: \_\_\_\_\_

Filed: January 22, 1999

For: TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF  
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)



Metabolix, Inc.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at APR 19 1999  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

RECEIVED

GRN ID 4700

☐ Additional documents in the chain of title are listed on a supplement sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and believe are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : February 19, 1999

Name : Oliver P. Peoples

Title : Vice President, Research and Development

Signature : Oliver P. Peoples

## ASSIGNMENT

We, Lara Madison of 38A St. Paul Street, Apt. #2, Brookline, Massachusetts 02142, Gjalt W. Huisman of 52 Salem Street, Apt. #1F, Boston, Massachusetts 02113, and Oliver P. Peoples of 27 Radcliffe Road, Arlington, Massachusetts 02174, in consideration of Ten Dollars and other valuable consideration paid to us by Metabolix, Inc., a corporation of the Commonwealth of Massachusetts and having its principal place of business at 303 Third Street, Cambridge, Massachusetts 02142, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Metabolix, Inc., its successors and assigns, the entire interest for the United States of America and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in "TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)" described in U.S. Application Serial No. 09/235,875 filed January 22, 1999, by Lara Madison, Gjalt W. Huisman, and Oliver P. Peoples, which claims priority to U.S. provisional patent application Serial No. 60/072,198 filed January 22, 1998, in the United States Patent and Trademark Office, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuation, continuation-in-part, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF  
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"  
By: Lara Madison, Gjalb W. Huisman, and Oliver P. Peoples  
Filed: January 22, 1999  
ASSIGNMENT

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 17 day of February,  
1999.

Lara I. Madison

Lara Madison

Commonwealth of Massachusetts )  
County of Middlesex ) ss.

Then personally appeared the above named Lara Madison and acknowledged the foregoing instrument to be her free act and deed, before me, this 17 day of February, 1999.

Jean M. Mahoney  
Notary Public

My commission expires JEAN M. MAHONEY  
Notary Public  
My Commission Expires July 8, 2005



"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF  
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"  
By: Lara Madison, Gjalt W. Huisman, and Oliver P. Peoples  
Filed: January 22, 1999  
ASSIGNMENT



WITNESS my hand and seal this 19<sup>th</sup> day of February,  
1999.

Gjalt W. Huisman

Commonwealth of Massachusetts )  
County of \_\_\_\_\_ ) ss.

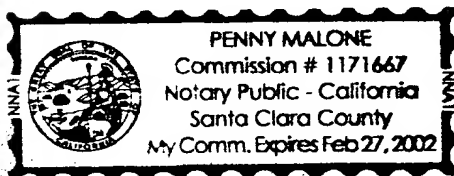
Then personally appeared the above named Gjalt W. Huisman and  
acknowledged the foregoing instrument to be his free act and deed, before me, this  
\_\_\_\_\_ day of \_\_\_\_\_, 1999.

### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California }  
County of Santa Clara }  
On February 19, 1999 before me, Penny Malone, Notary Public  
DATE NAME/TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"  
personally appeared Gjalt W. Huisman  
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) is/are  
subscribed to the within instrument and ac-  
knowledged to me that he/she/they executed  
the same in his/her/their authorized  
capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s),  
or the entity upon behalf of which the  
person(s) acted, executed the instrument.



WITNESS my hand and official seal.

SIGNATURE OF NOTARY

### OPTIONAL SECTION

#### CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to  
fill in the data below, doing so may prove  
invaluable to persons relying on the document.

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER(S)  
TITLE(S) \_\_\_\_\_  
☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

#### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
\_\_\_\_\_  
\_\_\_\_\_

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law,  
it could prevent fraudulent reattachment of this form.

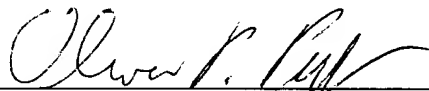
TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF  
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"  
By: Lara Madison, Gjalb W. Huisman, and Oliver P. Peoples  
Filed: January 22, 1999  
ASSIGNMENT

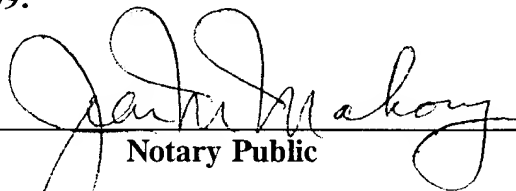
WITNESS my hand and seal this 17<sup>th</sup> day of FEBRUARY,  
1999.



Oliver P. Peoples

Commonwealth of Massachusetts )  
County of Middlesex ) ss.

Then personally appeared the above named Oliver P. Peoples and acknowledged  
the foregoing instrument to be his free act and deed, before me, this 17 day of  
February, 1999.



Notary Public

JEAN M. MAHONEY

Notary Public

My commission expires My Commission Expires July 8, 2005